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NOTE BY THE SECRETARY-GENERAL

1. The Secretary-General has the honour to transmit to the Security Council a report submitted by the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991).

2. It is the tenth such report provided in accordance with paragraph 9 (b) (i) of Security Council resolution 687 (1991) and paragraph 3 of Council resolution 699 (1991). It covers the period from 17 June to 17 December 1995 and is further to the reports contained in documents S/23165, S/23268, S/24108 and Corr.1, S/24984, S/25977, S/26910, S/1994/750, S/1994/1422 and Add.1 and S/1995/494.

3. In addition, eight reports have been submitted to the Security Council under paragraph 8 of resolution 715 (1991). These reports are contained in documents S/23801, S/24661, S/25620, S/26684, S/1994/489, S/1994/1138 and Corr.1, S/1995/284 and S/1995/864.

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Annex

Tenth report of the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991), and paragraph 3 of resolution 699 (1991) on the activities of the Special Commission

I. INTRODUCTION

1. The work of the Special Commission in the reporting period, 17 June to 17 December 1995, has covered the whole range of activities envisaged by section C of Security Council resolution 687 (1991). Further information concerning developments since the last report submitted under Council resolution 699 (1991) is contained in the report to the Council of 11 October 1995 (S/1995/864), the eighth report provided in accordance with paragraph 8 of resolution 715 (1991).

2. Since its report to the Council in October, the Commission has stepped up its activities in following up on and seeking to verify the very large amount of new information on Iraq's proscribed programmes that has continued to be obtained since August 1995. The Commission has also followed up on a growing concern regarding ongoing activities in Iraq in areas prohibited since the adoption of resolution 687 (1991), in particular in the missile area, where recent evidence indicates that activities have been or are being pursued that go beyond what is permitted under the resolution.

II. DEVELOPMENTS

A. Developments in Iraq

3. The new information obtained since August 1995 - in particular Iraq's long-delayed admission of its full-scale offensive biological weapons programme and its advances in the production of the chemical agent VX - confirmed what the Commission had for a considerable time believed on the basis of its own analytical work and its inspection and monitoring activities. These disclosures, on the one hand, gave rise to great concern in the Security Council and among Member States in general as to both the scope and advanced degree of development of Iraq's now proscribed programmes and the grave dangers that they have posed to the peoples of the region and to international peace and security during the Gulf War and since. On the other hand, Iraq's disclosures represented a great step forward in the work of the Commission and of the International Atomic Energy Agency (IAEA) in uncovering, subject to verification still, the remaining elements of Iraq's programmes.

4. The new information has greatly expedited the work of the Commission in accomplishing its tasks under resolution 687 (1991). Without Iraq's admissions, elucidation of the Commission's concerns would have taken up considerable periods of time in conducting inspection missions and in investigation of Iraq's procurement abroad and of information from other sources. The documents

obtained on 20 August 1995 at the Haidar Farm near Baghdad, at the conclusion of a visit by the Executive Chairman to Iraq (see S/1995/864, paras. 23-27), have provided materials both for verifying some aspects of Iraq's disclosures and for indicating other avenues that require further investigation.

5. Far from delaying the process of completing the picture of Iraq's proscribed programmes and of verifying its declarations on those programmes, this documentation has considerably speeded up these activities. The Commission has catalogued and assigned priorities for the examination of all the documentation and continues intensive work on the translation and analysis of those that appear to be of the most immediate importance and significance. Analytical work of this nature has been accompanied by further investigation missions to follow up with Iraq on its new declarations. A special concern, in this regard, has been the need to determine the full extent of Iraq's programmes and to seek verification of Iraq's claims to have destroyed all proscribed weapons, in particular its stocks of agent VX and its precursors, operational missile systems, all of its biological warfare agent and all of the aerial bombs and missile warheads that Iraq states it filled with various chemical and biological agents in the period immediately preceding the Gulf War.

6. In response to the Commission's request, Iraq has recently submitted new declarations, containing "full, final and complete disclosures" relating to its chemical, biological and missile programmes. It will be recalled that such disclosures are required under Security Council resolution 687 (1991) and paragraph 3 (i) of resolution 707 (1991). The Commission concluded that new declarations were required because the radical nature of the latest information rendered the previous declarations completely out of date. Two of these declarations, in the chemical and biological areas, were delivered in draft form, thus inviting the Commission's comments. Experts from the Commission in both these areas have visited Baghdad and discussed the declarations with their Iraqi counterparts.

7. During these discussions, various shortcomings were brought to the attention of the Iraqi experts. Iraq has undertaken to redraft the declarations substantially to meet the Commission's requirements. The declaration on missiles was presented in final, not draft form. The declaration is now being analysed in New York. Further information on all these declarations will be found in the sections below dealing with missiles, chemical weapons and biological weapons respectively. While there is some disappointment that the new declarations are not close to meeting the Commission's requirements, the stated readiness of Iraq to meet these requirements is a welcome sign of Iraq's undertakings to cooperate, without time-limits, which were given to the Executive Chairman by Deputy Prime Minister Mr. Tariq Aziz in Baghdad in August 1995 and which were repeated in New York in December 1995.

B. Executive Chairman's visit to Baghdad

8. Since the October 1995 report, the Executive Chairman has paid one further visit to Baghdad, from 27 to 29 November 1995. Immediately prior to the visit, there had been disquieting press reports that the Foreign Minister of Iraq, Mr. Mohammed Saeed Al-Sahaf, had made some remarks calling upon the Commission

to set an early time-limit for the completion of its work. This remark could be understood as coming perilously close to the ultimatum given by Iraq in July and August 1995, when it had called upon the Council to commence a move to lift sanctions and the oil embargo by 31 August 1995 or Iraq would cease its cooperation. Had Iraq not withdrawn that ultimatum, a most serious crisis would have occurred. Furthermore, when the Chairman met with the Deputy Prime Minister of Iraq on 28 November 1995, Mr. Aziz affirmed that Iraq would continue its cooperation without time-limits.

9. Immediately prior to his meeting with the Deputy Prime Minister, the Chairman held two meetings with the leaders of Iraq's technical teams, including General Amer Mohammed Rashid al Ubeidi, now Minister of Oil, General Ahmed Mutharda, now Minister of Transport and Communications, and General Amer Saadi, now in the Office of the President of Iraq. The three Generals all played leading roles in the weapons programmes now proscribed to Iraq. In the course of these meetings, the Chairman outlined certain continuing concerns of the Commission. While remaining issues had probably been narrowed down, it was vital for these to be cleared up completely. Issues such as the numbers of missiles, biological and chemical weapons produced and the verification of the unilateral destruction by Iraq of its operational missile systems, chemical and biological weapons, agent stocks and precursors remained to be addressed. Similar concerns related to Iraq's indigenous production of SCUD-type missile engines and components and to the need for Iraq to revise its previous accounting for the disposition of all of Iraq's long-range missiles. The original accounting had related to the 819 SCUD missiles obtained from the former Soviet Union, before the Commission had been aware that Iraq had successfully produced and tested similar missiles of its own.

10. During the two technical meetings, the Iraqi delegation handed over a personal diary relating to destruction of certain of Iraq's chemical and biological bombs, which had been provided by a junior military engineer. General Amer Rashid believed it would help considerably in the verification of Iraq's claims to have destroyed its chemical and biological weapons.

11. The Chairman welcomed the receipt of the diary, and of a document listing an inventory of chemical agents and precursors that was also delivered to him. When authenticated, these documents could assist in the verification process. He also welcomed the continuing provision of documents by Iraq. However, he indicated that the Commission was convinced that certain of the most important documentation had not yet been handed over, namely documentation in the possession of the central authorities, including the Military Industrialization Corporation and the Ministry of Defence.

12. The Chairman also drew attention to the Commission's concern that the various levels of the Iraqi establishment still found it difficult to cooperate fully in the voluntary provision of information. The Commission's experts were encountering instances where particular Iraqi counterparts would deny knowledge until confronted with evidence that the Commission already had data to the contrary. This attitude had to change to one of full transparency and a readiness to volunteer all relevant information, if the resolution of the remaining issues was to be expedited. The steps Iraq has taken in this direction are positive.

13. In his meeting with the Deputy Prime Minister, in addition to mentioning the concerns he had raised in the technical meetings, the Chairman referred to the requirements of resolution 687 (1991), regarding the destruction, removal or rendering harmless of all chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities. The disclosure of Iraq's biological weapons programme, and the facilities involved therein, gave rise to new issues. The Commission was undertaking an assessment of those facilities to determine what should be done. The Deputy Prime Minister recognized that, in principle, some destruction might be necessary, but he appealed for it to be deferred for as long as possible. He looked forward to the development of a new environment, in which the Commission and Iraq's Government could work together to finalize all issues in a smooth, cooperative and professional manner, without scepticism or exaggeration. Such an environment would contribute to a careful and thorough consideration of those outstanding matters, taking account of Iraq's observations. The Chairman indicated that he would proceed with the assessment to which he had referred, seeking the advice of international experts. After that, decisions would be taken and carried out. The Commission had to carry out the terms of its mandate in full.

14. Mr. Aziz stressed that the leadership of Iraq had no interest in concealing information, weapons or materials for weapons, and that the objective was to finish with all issues relating to proscribed weapons of mass destruction so as to "see paragraph 22 of Security Council resolution 687 (1991) implemented". The Chairman welcomed that declaration.

C. Visit to New York by the Deputy Prime Minister of Iraq

15. In addition to the Executive Chairman's visit to Baghdad, the Deputy Prime Minister of Iraq paid a visit to New York in December. Mr. Aziz met the Chairman on 12 December. The first meeting was confined to an issue that had just arisen concerning the admission to Iraq of an UNSCOM mission, including members of the German Bundestag responsible for matters relating to the Commission, in order to review all aspects of German air support for the Commission and to make recommendations thereon, including the future of such support. The mission was to visit Iraq from 13 to 16 December 1995. The Commission considered that the assessment of its air operations and the future thereof, by persons invited by the Commission, formed an integral part of the Commission's activities.

16. Iraq, however, on 11 December 1995, informed the Commission that the mission would be admitted to Iraq only on the basis of a bilateral arrangement arrived at between Germany and Iraq, and not under the aegis of the Commission. The Chairman requested an early meeting on 12 December with the Deputy Prime Minister to ask that the mission be allowed to proceed as originally planned. A negative answer from Iraq would be seen as a failure in cooperation, with likely adverse effects. The Deputy Prime Minister, however, maintained the position taken by Iraq. Iraq did not accept that the mission, as composed, came within its understanding of the persons Iraq was required to admit to its territory under the arrangements relating to the Commission. In the light of this, the

mission's visit to Iraq did not take place, the Commission maintaining its original position regarding the correctness of the mission as planned.

17. At a later meeting on 12 December between the Deputy Prime Minister and the Chairman, a discussion took place on the latest developments. The Chairman indicated that the December report could not contain definitive findings as the current situation was a highly mobile one where new information and disclosures changed the picture almost daily. The period since the Commission's October report had been one of intensive developments. Some of them had been positive, such as the receipt of the new declarations in the chemical, biological and missile areas. As regards the chemical and biological areas, both sides had agreed upon the need for them to be reworked by Iraq. The Chairman hoped that, as a result of that reworking, the confused situation around the number and eventual disposition of biological and chemical weapons could be cleared up. In addition to the positive elements, however, recent information received from both inside and outside Iraq gave rise to serious concern that, after the adoption of resolution 687 (1991), Iraq had continued to acquire components from abroad for its missile programmes and had conducted a clandestine programme on missiles capable of reaching beyond the 150-kilometre range, the limit laid down in Security Council resolution 687 (1991). None of these particular matters were included in the new full, final and complete disclosures on Iraq's missile programmes. That declaration, which had been said to be in final form, would have to be corrected.

18. The Deputy Prime Minister said that, since August 1995, Iraq had made a tremendous effort to clarify all issues and to provide the necessary documentary proof. He was convinced that Iraq would fill any gaps that still remained. Even if the Commission did not yet believe that it had a clear picture, that did not shake Iraq's confidence regarding the statement the Deputy Prime Minister had made in August 1995 that all weapons were destroyed. Mr. Aziz repeatedly affirmed Iraq's intentions to cooperate fully and in a transparent manner with the Commission, without limits, until all issues were settled. He gave his personal commitment to work to that end. He asked that the Commission not rush to judgement on matters of serious concern outlined by the Chairman. In that context, he invited the Chairman to send an expert team to Baghdad, after the Deputy Prime Minister's return there, to investigate in full the issues of serious concern that the Chairman had raised. Iraq was already investigating some of them, and the early clarification of all of them was in Iraq's best interests.

19. The Chairman agreed to send the requisite team of missile experts to Baghdad as soon as all the necessary expertise and information could be assembled.

D. Visit to the States members of the Gulf Cooperation Council

20. Immediately prior to going to Baghdad at the end of November 1995, the Executive Chairman visited the capitals of the States members of the Gulf Cooperation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates). He did so in order to explain to them the activities of the Commission and its future plans. Much concern had been created in the region

following on the disclosures of August 1995 and later regarding Iraq's biological and chemical weapons and its missile activities. The Chairman wished to provide assurances that the Commission would carry out the measures necessary to ensure that Iraq did not possess banned weapons and could not resume their production so as to pose a threat to its neighbours with such weapons. He also wanted to seek the political and financial support of the States concerned in order for the Commission to carry out the mandates of the Security Council. He was met with understanding in every capital he visited, where he found that the work of the Commission was followed with the greatest attention. At a meeting of the Gulf Cooperation Council, held at the level of heads of State in Muscat, at the beginning of December 1995, a communiqué was adopted which, inter alia, expressed support for the work of the Commission and promised political and financial backing for its work.

E. Material and financial support for the Special Commission

21. In the period under review, the Commission has had to devote much time to the issue of the provision to it of the contributions in kind and of the financial resources needed for it to carry out its activities. It is only because of the great generosity of many Governments that the Commission has been able to discharge its mandate outside of obligatory assessments and of the regular budget of the United Nations. Under resolution 699 (1991), Governments will be able eventually to claim reimbursement, if they so wish, for their contributions, when the embargo on the export of Iraqi oil is lifted, but until such time resources will have to be made available by Governments at their own cost. This is immeasurably less than would be the cost to the international community of dealing with the situation that could arise if Iraq were able to reactivate its proscribed programmes on any scale because the Commission has had to cease operations for lack of resources.

22. The Commission estimates that contributions in kind from various Member States have covered about two thirds of the total cost of its operations. The remaining third has been provided through direct financial contributions to the Commission. Its cash costs to date have amounted to around $20 to $25 million per year: a total of $100 million between 1991 and 1995. These funds, while small compared to the size of Member States' support in kind, are essential to the viability of the Commission. They have been covered mainly from frozen Iraqi assets made available through the escrow account established under Security Council resolution 778 (1992) and also from voluntary contributions from Kuwait, Saudi Arabia and Qatar.

23. In the period under review, the Commission has been seeking a more assured means of securing the financing needed for its operations. The amount of frozen Iraqi assets to be made available under resolution 778 (1992) is almost exhausted and the Commission is having to look elsewhere for future financial support. In this regard, it has been engaged with a wide range of countries to secure the financial future of the Commission.

24. Contributions in kind have come through the secondment of experts and other personnel to serve with the Commission and by, inter alia, the donation of vehicles, laboratories, computers, monitoring cameras and detection and

communications equipment. All members of the European Union have provided support to the Commission, as have Australia, New Zealand, the Russian Federation, Switzerland, the United States of America, and a number of countries in Latin America. New Zealand, for example, has continuously supported the Commission and IAEA since 1991 through the provision of a medical team. It has also provided a specialized communications team.

25. Of particular importance has been the provision of air support by Germany and by the United States and of ground facilities by the Government of Bahrain for the Commission's Field Office in Muharraq. Germany has to date, from the early months of the Commission's activities, provided all the aircraft for transportation into and out of Iraq from Bahrain and for transportation and other air services within Iraq.

26. This air support has been invaluable in the conduct of the operations of the Commission and of IAEA. The air assets operate in difficult and potentially dangerous conditions that require the utmost professionalism. This is ably demonstrated by the German crews who are stationed in Iraq and Bahrain. The Commission and IAEA remain grateful to the Government of Germany for this support.

27. The three CH-53 helicopters play an essential part in the long-term monitoring system of the Commission and IAEA. They are involved in the low-altitude aerial inspection activity (providing a platform for photography), surveillance of large inspection sites during inspections (to ensure that all activity at the site can be monitored simultaneously), the rapid transport of expert teams carrying out no-notice inspections and with the transport of vehicles and equipment throughout Iraq. The independence of operation brought about by these helicopters is fundamental to the Commission and IAEA. Without such a capability, the monitoring system as presently constituted would not work.

28. The two Transall aircraft are the sole means for the Commission and IAEA to fly their experts and equipment in and out of Iraq and thus sustain all the operations in Iraq. In addition, the helicopters and C-160 Transall aircraft provide the Commission and IAEA with essential medical evacuation capabilities.

29. Following almost four years of continuous support, the Government of Germany has announced, with effect from 1 January 1996, there would be a reduction in the number of aircraft provided to the Commission and IAEA. Germany has informed the Commission of its intention to reduce to one the number of transport aircraft stationed at Bahrain and the number of helicopters stationed in Iraq to two until 30 June 1996. The Commission believes that any diminution in the number of aircraft, either fixed-wing or helicopter, will deal a serious blow to the operations of the Commission and IAEA in Iraq.

30. The Commission believes that, as a result of the cutbacks and potential delays with the provision of back-up aircraft, it will be unable to adhere to a firm plan of operations. This would have serious consequences for the Commission and IAEA. Activities would have to be curtailed to a point where the ability of the Commission and IAEA to carry out their mandate could be called into question. The Commission has been actively pursuing replacement air

support for over six months. It is hoped that the present level of air support can be maintained in the interim. If this proves not to be the case, the Commission will have to request the Council to address the issue in the immediate future.

31. The U-2 aircraft made available to the Commission by the United States is another key component in the air surveillance required to identify new sites for inspection and to follow activities that should be investigated to ascertain their legitimate character or otherwise. It will remain one of the most important tools in ensuring the completeness and efficacy of the Commission's monitoring system.

32. The facilities made available by the Government of Bahrain in Muharraq, at the Government's expense, for the Commission's Field Office, have been vital as they serve as the single staging area for all the Commission's movements into and out of Iraq. The offices, situated in a hangar within the secure environment of the airport at Muharraq, could not be improved on from the point of view of convenience and safety. Immediate access is accorded to the Commission's aircraft and the Commission's staff is also immediately available to meet experts and other personnel arriving in Bahrain. Equipment and other material can be stored safely and moved efficiently into and out of Iraq. Expert teams are assembled and trained in the Field Office.

33. The Commission is aware that the Government of Bahrain could have other important uses for the facilities it has provided and thus the Commission is doubly grateful for the priority the Government has given to the requirements of the Commission. This is a demonstration of Bahrain's dedication to the United Nations. Bahrain thus continues to make a most significant contribution to the maintenance of international peace and security not only in the Gulf but in the international community as a whole.

34. The Field Office functions under an Agreement between the United Nations and the State of Bahrain that is subject to renewal every six months. The Chairman has assured the Government that its contribution and assistance in carrying out the relevant resolutions of the Security Council is recognized and appreciated as one of the first rank.

III. MISSILES

35. This latest reporting period has been very important for the Commission's investigations of Iraq's prohibited missile activities. The Commission described some of the more significant events in its October report to the Security Council. Iraq has admitted that it had been withholding important information on its missile programmes. The Commission requested Iraq to provide a new full, final and complete disclosure as required by resolutions 687 (1991) and 707 (1991).

36. On 16 November 1995, Iraq submitted to the Commission such a declaration consisting of more than 2,500 pages. This declaration has clarified a number of outstanding and unresolved issues. Iraq included in its submission, at the Commission's request, documents to support many of its statements such as

contracts, offers, orders and minutes of meetings related to Iraq's dealings with its main foreign suppliers in the missile area. The Commission welcomes this new approach by Iraq, a clear departure from the past practice when Iraq claimed that documents related to proscribed activities had been destroyed.

37. Of interest in this new information is Iraq's confirmation of the use in proscribed activities of the large radar destroyed under protest by Iraq a year ago. Iraq had claimed that the radar had nothing to do with proscribed activities and the Commission was acting improperly. This matter had been brought to the attention of the Council in the Commission's report of 15 December 1994 and in oral briefings to the Council describing Iraq's initial refusal to implement the Commission's decision.

38. The Commission had suggested, in a spirit of cooperation, that Iraq should initially submit a draft version so that appropriate ways and means could be discussed to facilitate subsequent efficient and speedy verification of a formal full, final and complete disclosure. However, Iraq stated that the document of 16 November was presented as a final version of its disclosure and that no substantive additions or corrections would be made to it.

39. The Commission has begun its analysis of Iraq's declaration. Establishing a definite and verifiable material balance for proscribed weapons is a fundamental requirement for the Commission to be able to assess Iraq's compliance with the missile-related provisions of resolution 687 (1991). Iraq's accounting in the November full, final and complete disclosures does not appear to constitute a firm basis for this.

40. While some relevant documentation was submitted by Iraq in its November full, final and complete disclosures, it did not provide original documents to account for the expenditure of all imported proscribed missile systems. There is no evidence to support Iraq's declaration on the indigenous production of missile engines or on their disposal. The Commission's last report indicated that Iraq had acknowledged the production of major parts of proscribed rocket engines. The recent disclosure provided more information on these indigenously produced rocket engines. According to Iraq, some 80 major subsystems of SCUD-type engines had been produced. Fifty-three had been rejected as unfit. Seventeen had been disposed of in testing. Iraq claims to have unilaterally destroyed the remaining 10. Iraq's statements in this respect remain to be verified.

41. Currently, Iraq's account concerning missile warheads, including those for the delivery of weapons of mass destruction, lacks consistency and the necessary evidence for verification. For example, Iraq has not provided any evidence to support its claims that only 120 indigenous warheads were produced. There are significant gaps in Iraq's accounting for such major components for operational missiles as guidance and control systems, liquid propellant fuels and ground support equipment. In October 1995, Iraq handed over to the Commission 18 gyro-instruments for proscribed missiles, without offering a satisfactory explanation for their continuous holding up to that time. It admitted, however, that in late 1993 an order had been issued to one of its missile facilities to start work on prohibited gyro-instruments. The Commission is still studying the full, final and complete disclosures with respect to the material balance in

other areas such as imported and indigenously manufactured missile components and tooling and equipment for production activities.

42. The Commission's preliminary review of Iraq's full, final and complete disclosures has also shown several areas where the Commission possesses reliable information that contradicts that disclosure or indicates tnat Iraq's declarations are incomplete. The declaration has not addressed, in a comprehensive and detailed manner, a number of Iraq's missile projects. Iraq's current declarations on the relation of missile programmes to other proscribed activities in the chemical, biological and nuclear weapons areas fails to meet the Commission's requirements. The Commission believes that Iraq is still withholding important documents related to proscribed activities and has not provided them in the new disclosure.

43. In view of these major deficiencies in the full, final and complete disclosures, Iraq's insistence that the document submitted on 16 November is the final and formal disclosure will complicate the verification process. The Commission is disappointed that Iraq chose to provide its declaration in final form and did not avail itself of the opportunity to resolve major discrepancies through discussion. The Commission will, however, work as quickly as possible, without sacrificing thoroughness, to carry out verification of Iraq's declaration.

44. In its October report (S/1995/864, para. 37), the Commission informed the Security Council that it had obtained information that Iraq had resumed its acquisition efforts from foreign sources in support of its missile activities. The Commission has kept this matter under close scrutiny.

45. The Government of Jordan recently intercepted a large shipment of high-grade missile components destined for Iraq. Iraq has denied that it had sought to purchase these components, although it has recently acknowledged that some of them are currently in Iraq. The Commission has launched an investigation into this matter in order to determine the exact nature of the missile components involved, their source, the procurement network used and the end-user in Iraq. There is evidence that this acquisition is for long-range missiles and thus further indicates continued activities in Iraq in the area of proscribed missiles.

46. Iraq has recently admitted that, after the adoption of resolution 687 (1991), it conducted a covert programme to develop and produce a surface-to-surface missile. Iraq carried out a number of tests with modified surface-to-air missiles for this project. This missile would be capable of prohibited ranges. These activities were not disclosed by Iraq in its full, final and complete disclosures nor in its declarations required under the plan for ongoing monitoring and verification. If further investigation proves this information to be correct, there would have been a clear violation of the provisions of resolution 687 (1991).

47. Since its October report, the Commission has continued its efforts to monitor Iraq's research, development, testing and production of non-proscribed missiles and their components. Between 9 and 15 December, the Commission conducted its regular research and development update inspection mission

(UNSCOM 130/BM 35). Such missions are designed to perform an in-depth technical analysis of Iraq's ongoing efforts to develop and manufacture non-proscribed missile systems, i.e. with a range of less than 150 kilometres. The team was also tasked to study the monitoring arrangements to ensure that they are meeting the requirements of the Commission at the current level of Iraq's missile-related activities.

IV. CHEMICAL WEAPONS

48. The new information obtained by the Commission since August 1995 clearly shows that Iraq's chemical weapons programme was more developed and wider in scope than had previously been admitted. Thus the March 1995 chemical full, final and complete disclosure and subsequent amendments were rendered invalid and the Commission requested that Iraq submit a new disclosure, as required under resolutions 687 (1991) and 707 (1991).

49. A draft chemical weapons full, final and complete disclosure was provided by Iraq on 5 November 1995. As it was in draft form, the Commission's experts were able to review it and to identify those areas that required amendment, in order for the necessary changes to be incorporated by Iraq into the final form of the document.

50. The Commission's chemical experts held talks with Iraq's representatives in Baghdad from 29 November to 2 December 1995. During these talks, the Commission's experts explained that the draft full, final and complete disclosure still lacked important information, contained incorrect information and was internally inconsistent. It was also emphasized that, while Iraq had begun to provide some documentation to support its declarations, further material must be provided, in order to allow the Commission to verify the declarations definitively.

51. The Iraqi side accepted all the comments and recommendations made by the Commission's experts concerning the additional information to be included in the final version of the full, final and complete disclosures. Overall, these discussions were productive and the presence of senior Iraqi officials from the Military Industrialization Corporation proved helpful.

52. One area discussed at length concerned Iraq's account of its activities in relation to the V class of highly toxic chemical warfare agents. In the draft full, final and complete disclosures, Iraq acknowledged that it had produced more VX agent than had previously been declared. Earlier declarations had stated that only 260 kilogrammes were produced in 1988. In the draft, Iraq admitted that 1.8 tonnes had been produced in that year and a further 1.5 tonnes in 1990. It has stated that purity and stabilization problems caused the programme to be abandoned in 1990, in favour of the production of Sarin and Cyclosarin.

53. While noting the revised account of VX activities, the Commission's experts repeated the importance attached to providing a means of verifying the information. This was particularly significant, in view of the fact that, at the beginning of 1989, Iraq had in its possession the necessary quantities of

precursors for the large-scale production of V-agents. The evidence currently available to the Commission in respect of the disposal by Iraq of those precursors is far from conclusive. Until such evidence is provided, Iraq's VX activities will continue to be of particular concern to the Commission, since it is unable to confirm that stocks of VX, large quantities of its precursors and appropriate weapons do not remain in Iraq. Iraq undertook to provide necessary evidence, in order to substantiate its declarations.

54. The Commission's experts also underlined other areas where the draft was deficient and contradictory. These include the overall material balance, where there continue to be major inconsistencies. This assessment was accepted and it was agreed that a completely new material balance would be provided by Iraq. This would be based on documents and not simply on the recollection of those involved.

55. The issue of chemical munitions was also discussed. Here the Commission's experts noted that the accounting for such munitions procured and indigenously produced was not complete. This included the chemical warheads for ballistic missiles. Based on information available to it, the Commission believes that there were further activities relating to the development of chemical munitions that have still not been disclosed, including foreign assistance. Iraq agreed to complete this chapter of the full, final and complete disclosures and to provide appropriate documents.

56. It was also emphasized on several occasions during the meetings that the full, final and complete disclosures should include all of Iraq's institutions involved in the proscribed chemical weapons activities and all contacts and activities that had taken place with foreign entities.

57. Several additional documents were provided to the Commission both during and subsequent to the November discussions in Baghdad. Iraq has undertaken to continue to search for more documentation requested by the Commission. This includes production records, procurement documents, storage inventories and destruction certificates of chemical weapons and their components. The Commission strongly believes that such documentation still exists in Iraq.

58. The ongoing monitoring activities in the chemical field were explained in detail in the Commission's last report. Of note is the recent admission by Iraq of its 1988 plans to relocate the production of chemical precursors to civilian chemical facilities, which has confirmed the Commission's approach taken with respect to its monitoring system. The Commission's monitoring team continues to discover non-declared dual-use equipment in Iraq. Under the monitoring plan, Iraq is required to declare all such dual-use chemical manufacturing equipment. Iraq is still unable to provide complete semi-annual declarations required by the monitoring plan in the chemical field.

59. Since its October report, the Commission has conducted its first night-time inspection of a chemical site. Additional steps have been undertaken to refine the monitoring system to take account of increasing monitoring requirements and tasks to be performed in the light of Iraq's disclosures in August 1995 and subsequently. This will include, for example, the expansion of the chemical analytical capabilities of the Baghdad Monitoring and Verification Centre in the

near future. In addition, the permanent chemical monitoring team will be reinforced by additional personnel. Currently initial tests with temporary mobile monitoring cameras are being carried out by the Commission's chemical monitoring team in Iraq.

V. BIOLOGICAL WEAPONS

60. The Commission's main findings and assessments of Iraq's proscribed biological weapons activities were outlined in its last report to the Security Council (S/1995/864). In particular, the Commission concluded that it did not believe that Iraq had given a full and correct account of its biological weapons programme. Thus, Iraq was requested to resubmit its full, final and complete disclosure, a declaration required from Iraq under resolutions 687 (1991) and 707 (1991).

61. Iraq submitted a draft declaration in the biological weapons area to the Commission on 5 November. This document was provided in a draft form so that the Commission could make its preliminary comments on the structure and contents of the document. This was meant to give Iraq an opportunity to improve its declaration to meet the Commission's requirements. Such a process is intended to facilitate subsequent verification by the Commission of the accuracy of the Iraqi declaration once a formal disclosure is provided.

62. The draft full, final and complete disclosures of November was Iraq's third official declaration in the biological weapons area submitted this year. The November document encompasses the disclosures made by Iraq since August 1995, primarily its admission of a comprehensive and well-advanced offensive biological weapons programme, ranging from research and development on a variety of bacteriological agents, viruses and toxins through the production, weaponization and military deployment of biological and toxin weapons. The draft also describes involvement of a number of facilities, in particular at Al Hakam and Dawrah. In some cases, Iraq provided, in response to the Commission's requirements, documentary support of its declarations that were helpful in establishing some milestones in its biological weapons programme and the scope of related activities. Iraq continues to find additional documents, which it is providing to the Commission to substantiate its declarations. The Government of Iraq has assigned high-ranking officials from its biological weapons programme to lead and participate in discussions with the Commission's representatives.

63. Notwithstanding the above positive steps, the November draft contains major deficiencies in structure and content. Serious gaps and omissions exist in the declaration and in the documentary support, especially related to biological warfare agent and munition production, munition filling and the destruction of weaponized and bulk agents. In a number of cases, Iraq's declarations appear to downgrade the scope and the results of research, development and production efforts related to certain biological warfare agents.

64. Through recent high-level political talks and expert discussions, the Commission has pointed to the serious deficiencies in the November draft. Evidence available to the Commission establishes that the biological weapons

programme was more extensive than has been admitted by Iraq in its November document. Moreover, information contained in it does not match, in a number of important aspects, the current findings by the Commission based on inspections, analytical work and information provided to it from supporting Governments. The documentation provided by Iraq in its draft, together with other Iraqi documentation obtained by the Commission, constitute only a fraction of the documents generated under the biological weapons programme. The Commission continues to believe that important documents are still being withheld by Iraq, despite assurances of full cooperation from the Government of Iraq.

65. The Commission is especially concerned by Iraq's continuing failure to provide definite figures on amounts of biological weapons agents and munitions produced, weaponized and destroyed. In the absence of such figures, accompanied by supporting documentation, it is not possible to establish a material balance of proscribed items, nor is it possible for the Commission to provide an assessment to the Security Council that Iraq does not retain biological weapons agents and munitions.

66. Security Council resolution 687 (1991) requires that Iraq unconditionally accept the destruction, removal or rendering harmless under Commission's supervision of all biological weapons and all stocks of agents and related substances and components and all research, development, support and manufacturing facilities. The Commission needs to identify what equipment, material and facilities should be subjected to the provisions of the resolution. The first team (UNSCOM 127/BW 29) sent to Iraq for this purpose has just completed its mission and will report its findings to the Executive Chairman for review and final decision. Meanwhile, the Commission has requested Iraq to cease all activities at the facilities in question that have made a major contribution to the biological weapons programme and still have significant equipment present. Iraq has begun to do so.

67. The next major step is for Iraq to submit its formal full, final and complete disclosures of its proscribed biological weapons activities. This will allow the Commission to pursue the verification process. Iraq has undertaken to do so. The Commission intends to continue its inspection activities and analytical efforts with a view to conducting verification in an effective, efficient and speedy manner. The Commission reaffirms that Iraq's full cooperation and complete openness will be the essential element in this process.

68. Monitoring in the biological area through resident inspection teams, aerial surveillance and camera/sensor detection continues, covering a variety of sites and activities in Iraq. On a number of occasions, the biological monitoring group in the Baghdad Monitoring and Verification Centre was also tasked to investigate specific issues related to the proscribed activities in order to expedite fact-finding efforts by the Commission.

VI. NUCLEAR WEAPONS

69. The Director General of IAEA is reporting separately on the activities of the action team set up to implement paragraphs 12 and 13 of resolution

687 (1991) and the IAEA plan for ongoing monitoring and verification approved under Security Council resolution 715 (1991) (S/22872/Rev.1 and Corr.1).

70. In accordance with relevant Security Council resolutions the Commission continues:

(a) To provide information, special expertise, logistical and other operational support, for the implementation of the IAEA plan for ongoing monitoring and verification;

(b) To designate sites for inspection and to receive and advise on requests from Iraq to move or destroy any material or equipment relating to its nuclear weapons programme or other nuclear activities, and

(c) To perform such other functions, in cooperation in the nuclear field with the Director General of IAEA, as may be necessary to coordinate activities under the plan for ongoing monitoring and verification, including making use of commonly available services and information to the fullest possible extent, in order to achieve maximum efficiency and optimum use of resources.

71. The Commission's nuclear experts participated in the IAEA 28/UNSCOM 131 and IAEA 29/UNSCOM 132 inspections conducted between September and October 1995. In particular, the links between the missile and the nuclear areas were investigated. The report of the first of these inspections was submitted to the Security Council on 1 December 1995 (see S/1995/1003, annex).

72. The Commission's experts are continuing to participate in the IAEA negotiations with the Russian Federation regarding the sale of the nuclear materials removed from Iraq and reprocessed in the Russian Federation. The Russian side is required to assist in the disposition of the materials under the original contract for removal and reprocessing. So far these negotiations have failed to produce results because of certain conditions that the Russian side is insisting on, in particular substantial prepayments, which the Commission and IAEA are not in a position to meet and which, in their view, go beyond the normal commercial practice in this regard.

VII. RADIOLOGICAL WEAPONS

73. During the reporting period Iraq has acknowledged the existence of a programme related to radiological weapons. On 29 August 1995, a biological inspection team (UNSCOM 125) was given a brief account by the Iraqi authorities of an experiment in the radiological weapons field conducted at the end of 1987 by the Muthanna State Establishment. According to Iraq's statements, the purpose of this experiment was to study the military effectiveness of using irradiated materials. A number of lead-shielded metal containers with irradiated zirconium oxide were exploded at a chemical weapons test site. Each container, which weighed about 1 ton (because of extensive shielding), had from 0.5 to 1 kilogramme of irradiated zirconium oxide. Taking into account the poor test results and safety problems with the handling and transportation of irradiated materials, this project was purportedly shelved at the end of 1987. In total, only a few kilogrammes of zirconium oxide had been irradiated in the

research reactor in Tuwaitha for the purpose of this project. The team was told that no special weapons system was created.

74. However, in its draft full, final and complete disclosures on the chemical weapons programme, Iraq mentioned the production of 100 empty casings of LD-250 aerial chemical bombs (known as "Muthanna-4") in 1987. These casings were modified at the request of the Al-Qa'qa State Establishment and the Iraqi Atomic Energy Commission (IAEC). Iraq stated that 75 bombs were delivered to the Al-Qa'qa State Establishment and 25 bombs were destroyed unilaterally by Iraq in the summer of 1991. On 2 December 1995, the Commission's chemical expert team asked the Iraqi authorities to clarify the purpose of the production of these munitions. The Iraqi representatives admitted that these aerial bombs had been modified for the purpose of radiological weapons. Iraq promised to provide all information related to its efforts in the area of radiological weapons in Iraq's next disclosure covering its nuclear programme. Iraq also agreed to provide in its new chemical disclosure all information concerning munitions modified and produced by the Muthanna State Establishment and other establishments for the purpose of radiological weapons. Such information is important to reconcile the material balance of munitions in other areas, e.g. chemical weapons.

75. On 4 December 1995, additional information on this project was given by Iraq to representatives of the nuclear and chemical monitoring teams. They were told that, around the end of 1987, the Military Industrialization Corporation gave orders to the Nuclear Research Centre at Tuwaitha to explore radiological weapons as a means of "area denial" to be used in the final stages of the Iran/Iraq war. Three prototypes were made based on modified "Nasser 28" aerial bombs. These prototypes had a gross weight of 1,400 kilogrammes and had a radioactive content of some two curies deriving mainly from the hafnium impurity present in the zirconium oxide that had been irradiated in the IRT5000 research reactor at Tuwaitha. All three bombs were exploded at test sites. One bomb had been detonated as a ground-level static test, while the other two bombs had been fitted with impact fuses and were dropped from an aircraft at a testing range.

76. The Commission/IAEA team was told that the results of these tests were disappointing in that the majority of the radioactive material concentrated on the crater with a sharp decline in the radiation level at a relatively short distance away. Concurrently with the "Nasser 28" experiments, development of an alternative design based on a derivative of the Muthanna-3 chemical bomb casing - renumbered Muthanna-4 for the project - was undertaken. This version weighed about 400 kilogrammes and, since it could be accommodated in the aircraft bomb bays, more weapons could be carried by one aircraft. In order to cover the possibility that a decision be taken to go ahead with the deployment of radiological weapons, 80 Muthanna-4 casings were prepared. These casings are lost.

77. According to Iraq, at this stage in the development, mid-1988, a progress report was made to the Military Industrialization Corporation. The report was reviewed by the Corporation, which then presented a "pros and cons" summary to the leadership. The leadership did not pursue the option of the radiological weapon and the project was shelved. The question of documentation was raised and the Iraqi counterparts were asked to seek out drawings and reports that could be used to corroborate their explanation of the radiological weapons

project. The Iraqi authorities undertook to do so, but stated that the report on the project had been at the Military Industrialization Corporation at the time when all the documentation was surrendered to the special security organizations (see S/1995/864, para. 26). It was confirmed by the Iraqi authorities that IAEA will be provided with a comprehensive account of the radiological weapons project in the nuclear full, final and complete disclosures currently under preparation by Iraq.

VIII. AERIAL INSPECTIONS

78. The aerial imagery provided by the Commission's high-altitude surveillance aircraft (U-2) and the Baghdad-based aerial inspection team continues to be an essential tool for the monitoring regime and for the investigation of new sites. To date over 600 missions have been undertaken by the aerial inspection team and 277 missions by the U-2.

79. If the reduction in the number of CH-53 helicopters, mentioned above takes place, it will have a major impact on the operational effectiveness of the aerial inspection team. By curtailing the number of missions that it is able to undertake, the team will be unable to fulfil the helicopter-borne aerial requirements of the monitoring regime.

IX. EXPORT/IMPORT MECHANISM

80. The Commission's October 1995 report contained a detailed account of the proceedings in the Sanctions Committee regarding the export/import mechanism. The mechanism was approved in that Committee on 20 July 1995. However, its formal transmission to the Security Council, as the tripartite proposal by the Sanctions Committee, the Special Commission and the Director General of IAEA called for under paragraph 7 of resolution 715 (1991), was postponed pending indications of the concurrence of their Governments from all members of the Committee. On 6 December 1995, the Sanctions Committee, having obtained such concurrence, authorized its Chairman to address a letter to the President of the Security Council, transmitting the mechanism for approval by the Council. This transmission, as approved by the Sanctions Committee in July, was accompanied, for purposes of information, by a letter of 17 July 1995 from the Executive Chairman of the Special Commission, regarding the modalities envisaged for implementing the mechanism in Iraq. The mechanism and the letters were circulated to the Security Council on 8 December 1995 (S/1995/1017).

X. NATIONAL IMPLEMENTATION MEASURES

81. In the report it submitted to the Council in October 1995, the Commission expressed its grave concern at the failure of Iraq to adopt and implement the national implementation measures it is required to take under the plans for ongoing monitoring and verification. As pointed out in several previous reports, when Iraq is pressed on this matter, its representatives have stated that the legislation would be promulgated shortly. This has not proved to be the case, to the detriment of Iraq's assurances of full compliance with the

relevant Security Council resolutions and of its intentions to forego entirely any activities connected with the weapons programmes now proscribed to it. The Commission can do no more than press Iraq to act promptly and keep the Council informed of developments in relation to an action that Iraq is still required to take under the Council's resolutions. The matter was raised with the Deputy Prime Minister on 12 December 1995, and he has repeated the assurances that the necessary legislation will be enacted.

XI. CONCLUSION

82. The period from 17 June to 17 December 1995 has been one in which the most significant developments have taken place, particularly with regard to the disclosure of Iraq's proscribed programmes. Iraq's attitude towards cooperation with the Commission and the Security Council has also changed from one where ultimatums with deadlines were delivered to one of promises of complete cooperation and transparency, without time-limits. Iraq admits that it has not taken all actions required of it under paragraph 22 of Security Council resolution 687 (1991), but insists that now its declared policy is to do so as fast as possible so that that paragraph can be implemented. Iraq has also admitted that, as late as August 1995, it had been withholding important information from the Commission, but is now in the course of disclosing what had been concealed. After having maintained for a number of years that all documentation relating to its proscribed programmes had been destroyed, Iraq has, during the period under review, provided the Commission and IAEA with substantial quantities of documentation, and is continuing to do so. All of these are positive developments.

83. The amount of new information that has become available both from inside Iraq and from other sources in the recent past, and which requires further investigation and verification, is such that it is not possible at the present time to give a firm assessment of the extent to which full disclosure of all elements of Iraq's proscribed programmes has been made. While there has been substantial progress, there are areas where the picture is still far from complete and further actions are required by Iraq. The Commission believes that, while a great volume of documentation has been made available, many of the most important documents remain and are still being withheld from the Commission. When this documentation is made available, it should provide the most certain and the speediest way of clearing up vital issues such as the quantities of proscribed weapons, items or materials produced or acquired and the disposition thereof. It should also help in determining the extent to which Iraq has continued activities, particularly in the missile area, in circumvention of the provisions of resolutions 687 (1991) and 715 (1991).

84. While the Commission welcomes the repeated assurances which it has received from the Deputy Prime Minister Tariq Aziz, on behalf of the leadership of Iraq, regarding Iraq's full cooperation, instances continue to be encountered, at all levels, where full disclosure is not made and misleading statements are put forward. Likewise, information that should have been volunteered in support of a policy of complete transparency is not provided. The issue thus remains whether there are two policies being pursued, one calling for full cooperation and the other for concealing proscribed activities as long as possible. The

Commission can only hope that the first of these will prevail and that the second will be completely abandoned.

85. If the problems just indicated can be speedily resolved by Iraq, the Commission believes that it should be possible to clear up what remains in the near future. These issues must be credibly settled before the Commission's mandate will have been discharged.